



ORGANIZED 1956

## CALIFORNIA MARINE AFFAIRS AND NAVIGATION CONFERENCE

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Dear Gentlemen:

On behalf of California's ports and harbors, the California Marine Affairs and Navigation Conference (CMANC) offers the following specific comments on the proposed principles for water and related land resources planning. First, however, we believe the purpose of the proposed Principles which result from implementation of Section 2031 of the 2007 Water Resources Development Act should be a road map for the construction and maintenance of economically and environmentally sustainable water resources infrastructure.

### PURPOSE and SCOPE

We suggest this section be revised to allow for the concept of developing "an implementable national water resources plan" as well as needing to recognize that the Water Resources Development Act of 1986 moved the nation away from multipurpose projects to smaller more focused single purpose projects. We also concur with the National Academy of Sciences in that the Corps should allow for the omission of analysis of expensive alternatives and levels or stages of review for small projects on which a consensus exists. Regulations need not impose the same procedural steps for all sizes of project

### NATIONAL PLANNING OBJECTIVE

We believe the National Planning Objective, with only three concepts, is too narrow in its scope to meet the future needs of the citizens of this Nation. We believe a similar comment was made by Congress in the 1970 Flood Control Act.

### WATERSHEDS

Limiting planning to watersheds may not be in the best interest in all cases. Deep draft navigation projects have been stigmatized by the concept of "racing to the bottom" and littoral cell activities may encompass more than one watershed. At the same time, however, one has to recognize the current limitations of single purpose projects and the statutory limits of local sponsors.

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*To promote the operation, maintenance and improvement of California harbors, ports and navigation projects that demonstrate responsible stewardship and benefit the regional and national economy.*

### SCIENCE BASED ANALYSIS

We recommend the inclusion of cultural attributes. These are extremely important in local and regional planning efforts.

Peer review can be an important part of any document. The details of what is peer review are crucial for the full understanding of what is being asked of the reviewers. Additionally, in order to eliminate institutional bias and fully include interdisciplinary planning it may be necessary to have review by persons outside of a particular scientific field. At the same time, iterative peer review can result in untenable project delays leading to paralysis by analysis.

### CONDITIONS

We are concerned about to whom is the transparency being provided and will those outside of the federal system truly have the opportunity to provide comments on the planning documents towards informed decision-making.

The concept of projection of with and without plan conditions needs to be further refined to provide for the cone of uncertainty for each incremental unit of time into the future. If the future conditions are to be developed under current government policy, would this require frequent changes during the life span of the planning, design and construction of a project, in many cases these phases take decades to complete, as there are changes in policy?

### PLAN FORMULATION

You are limiting plan formulation to the consideration of federal and non-federal resources. This may make some sense so that time and limited resources are not “wasted.” However, how does this get quantified? Based on the statement it is possible projects such as the Florida Everglades Restoration would not be moved forward.

Should the environmental considerations include that there may be environmental “winners and losers” such as the development of tidal wetlands and the resultant loss of seasonal wetlands and how to account for these trade-offs?

The concept of an Environmental Quality Plan needs to be further refined. The proposal would provide an alternative with high quantity, but potentially very low value to compete directly with a plan that provides high value contributions to the National Economic Development objective. We believe the Corps to date has not done an adequate job of meeting the President’s Management Objectives as relates to environmental restoration projects and this document continues that failure.

We don't believe in all cases that a Primarily Nonstructural Plan would be appropriate. The planning concept of limiting categories of "Structural," and Non-Structural" plans is obsolete. All plans (except, perhaps, the no-project alternative) involve structural and non structural components. For example, the "non-structural" alternative of a flood way or flood plain will almost always involve the construction of levees, weirs, pumping stations, and the demolition of existing structures. The policy of several administrations is to encourage international trade; this requires the structural systems to move goods between nations, not just between states. In order to efficiently move these goods, we have to deepen some ports in the North American continent. This will require structural alternatives.

The "Required alternatives of National Economic Development (NED) Plan, Environmental Quality (EQ) Plan, and Primarily Non-Structural Plan are not mutually exclusive. Almost all recent successful water resources projects (non-controversial / high benefit: cost ratio) incorporate elements of all three. It is more appropriate to balance these planning considerations rather than develop "required alternatives."

#### EVALUATION of PLANS

The document needs to more clearly define the methodology used to have an "open assessment" of the various plans.

We appreciate the development of specific required accounts in the evaluative framework, however, until the guidelines are developed we can not provide in depth analysis at this time. We are concerned that these accounts drop out during the Net Beneficial Effects Criterion and would like to know why this is being proposed.

#### PLAN SELECTION

The concept of "national mission authorities" has been added to this section. This concept is not discussed earlier and should either be listed, and defined, at the beginning of the process or removed from the plan.

The concept of the locally preferred plan seems to have been dropped from the process of plan formulation / selection. Federal planners must give due consideration to local preferences.

We are appreciative of the diligence of the Corps of Engineers in moving forward with the directions given in the Water Resources Development Act of 2007. We look forward to reviewing further iterations of the Principles document as ambiguities are removed.

Sincerely,

*James M. Haussener*

James M. Haussener  
Executive Director